

## **TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** David Quigley, AICP, Planning and Zoning Manager/ (954) 797-1103

**PREPARED BY:** Maria C Sanchez, Planner II

**SUBJECT:** Quasi Judicial Hearing: Rezoning Application, ZB 10-1-09/09-4/TB Herndon & Phyllis/4903 SW 51 Street/Generally located north of SW 51st Street, and approximately 830 ' west of SW 48th Way

**AFFECTED DISTRICT:** District 1

**ITEM REQUEST:** **Schedule for Council Meeting**

**TITLE OF AGENDA ITEM:** REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 10-1-08, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT TO M-3, PLANNED INDUSTRIAL PARK DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 10-1-09, Herndon, 4903 SW 51 Street) Planning & Zoning Board recommended approval

**REPORT IN BRIEF:** The petitioners request to rezone the subject site from A-1, Agricultural District, to M-3, Planned Industrial Park District. The subject site is composed of six adjacent parcels owned by various members of the Herndon-Nichols-Mereidos family. Currently, these parcels are used for a nursery business and have three residencies.

The proposed change is consistent with the Industrial Land Use classification. However, it is important to consider that the subject site is within the boundaries of the proposed Transit Oriented Corridor, and that the adopted Master Plan for this corridor identifies the subject site as the location of the south-side live-work neighborhood.

Staff analysis provides information about the intent of different zoning districts that are consistent with the existing site's future land use category. This analysis considers the compatibility of these zoning districts to the proposed south-live-work neighborhood. To provide a further breakdown of what kind of uses will be allowed under the Business

Park and Industrial zoning districts, a table of permitted uses is included on the application's exhibits.

**PREVIOUS ACTIONS:** None

**CONCURRENCES:** At the January 14, 2009 Planning and Zoning Board meeting, Mr. DeArmas made a motion, seconded by Mr. Busey, to approve. In a roll call vote, the vote was as follows: Chair McLaughlin – yes; Vice-Chair Stevens – absent; Mr. Busey – yes; Mr. DeArmas – yes; Ms. Turin – absent. (Motion carried 3-0)

**FISCAL IMPACT:** not applicable

Has request been budgeted? n/a

**RECOMMENDATION(S):**

**Attachment(s):** Ordinance, Planning Report

ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 10-1-08, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT, TO M-3, PLANNED INDUSTRIAL PARK DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Davie authorized the publication of a notice of a public hearing as required by law, that the classification of certain lands within the Town be changed **FROM:** A-1, Agricultural District **TO:** M-3, Planned Industrial Park District; and

WHEREAS, said notice was given and publication made as required by law, and a public hearing there under was held on the date of the adoption of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE FLORIDA:

SECTION 1. That the property herein after described be and the same is hereby rezoned and changed from A-1, Agricultural District to M-3, Planned Industrial Park District;

- a. The subject property is described in Exhibit "A," which is attached hereto and made a part hereof;

SECTION 2. That the zoning map heretofore adopted by the Town Council is hereby amended to show the property described in Section 1, herein, as M-3, Planned Industrial Park District.

SECTION 3. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009.

PASSED ON SECOND READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER  
ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009

**Application:** ZB 10-1-08/09-4/ TB Herndon & Phyllis

**Original Report Date:** 12/18/08

**Revision(s): 1/16/08**

# TOWN OF DAVIE

## Planning & Zoning Division

### ***Staff Report and Recommendation***

## Applicant Information

**Petitioner/Owner:**

**Name:** TB Herndon & Phyllis

**Address:** 4903 SW 51 Street

**City:** Davie, Florida 33314

**Phone:** (954) 587-2087

**Fax:** (954) 791-9866

## Background Information

<b>Date of Notification:</b>	December 31, 2008	<b>Number</b>	<b>of</b>
<b>Notifications:</b>	234		

**Petitioner's Request:** Rezone subject property  
**FROM:** A-1, Agricultural District  
**TO:** M-3, Planned Industrial Park District

**Address:** 4903 SW 51 Street

**Location:** Generally located north of SW 51st Street, and approximately 830 feet west of SW 48th Way

**Future Land Use Plan Map:** Industrial

**Existing Zoning(s):** A-1, Agricultural District

**Proposed Zoning(s):** M-3, Planned Industrial Park District

**Existing Use(s):** Residential/Nursery

**Parcel Size:** Approximately 6.5 acres

**Proposed Use(s):** Industrial

		<u>Surrounding Land</u>	
		<u>Use</u>	<u>Plan</u>
<b><u>Designation:</u></b>	<b><u>Surrounding Uses:</u></b>		
<b>North:</b>	Temple Beth of Hollywood	Community Facility	
<b>South:</b>	Undetermined	Residential	
<b>East:</b>	Griffin 441 Limited	Industrial	
<b>West:</b>	Florida Auto Auction of Orlando	Industrial	
		<b><u>Surrounding Zoning:</u></b>	
<b>North:</b>	CF, Community Facilities District		
<b>South:</b>	A-1, Agricultural District		
<b>East:</b>	M-3, Planned Industrial Park District		
<b>West:</b>	M-2, Medium Industrial District		

### **Zoning History**

**Related Zoning History:** Records indicate that the existing Future Land Use Plan Map designation and Zoning classification were in place at the time of annexation.

### **Applicable Codes and Ordinances**

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

*Land Development Code (Section 12-305), Rezoning and Variances*, the purpose of this division is to guide the processing and granting of rezonings and variances in a manner consistent with the Town of Davie Comprehensive Plan, existing development and in a manner which protects the public health, safety and welfare.

*Land Development Code (Section 12-24 (J)(9)), Planned Industrial Park (M-3) District*, the M-3 District is intended to implement the industrial classification of the Town of Davie Comprehensive Plan by providing for planned industrial parks which can accommodate light, medium or selected heavier industrial uses in an open, uncrowded and attractive manner through limitations on setbacks and coverage, and for other permitted uses. M-3 Districts are not intended for locations abutting residential property.

*§12-83 Commercial Conservation Standards*, M-3 Planned Industrial Park District requires the following minimums: lot area of 43,560 square feet, lot frontage 150', setbacks of twenty-five (25) feet from all street lines except recycling, scrap metal processing and automobile wrecking yards which shall be zero setback within the perimeter wall; fifty (50) feet from property lines adjacent to areas zoned, occupied or Land Use Plan designated residential; ten (10) feet from property lines adjacent to areas zoned, occupied or Land Use Plan designated for nonresidential uses; two hundred (200) feet from all property lines for the manufacture, storage or processing of concrete, cement and lime, and for heavy manufacturing, fabrication and industrial uses, except within the perimeter walls of recycling, scrap metal processing and automobile wrecking yards, 35' maximum height, 40% maximum building coverage, and 20% minimum open space.

### **Comprehensive Plan Considerations**

**Planning Area:**

The subject property falls within Planning Area 6. Planning Area 6 includes lands located south of State Road 84, east of University Drive and north of Nova Drive, together with lands located east of the Florida Turnpike and west of State Road 7, south of State Road 84 and north of the south Town limits. The majority of this planning area is zoned industrial with a future land use of industrial.

**Broward County Land Use Plan:** The subject site falls within Flexibility Zone 81.

**Applicable Goals, Objectives & Policies:**

*Future Land Use Plan, Objective 5: Consistency of Development with Comprehensive Plan, Policy 9-2:*

The Town Shall endeavor to expand its economic base through the expansion of the industrial and manufacturing sectors of its economy.

*Future Land Use Plan, Objective 5: Consistency of Development with Comprehensive Plan, Policy 5-2:* The (re)zoning, (re)platting, and site planning of land shall be in compliance with the density ranges shown on the Davie Future Land Use Plan map and the applicable Future Land Use Designation provisions as contained in the Permitted Use portion of the Implementation Section.

*Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-2:* No property within the Town shall be rezoned to a zoning district that is not in compliance with the Davie Future Land Use Plan.

*Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-3:* Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

*Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-7:* Adopted land development regulations shall continue to set forth setbacks or separation regulations, landscaping requirements, and minimum open space criteria to enhance living and working environments.

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**Public Participation**

The public participation process provides the ability for citizens of the Town of Davie to actively participate in the Town's development procedures. The petitioner conducted meetings with the public at the Town of Davie Community Room on December 3, 2008 and December 10, 2008. Attached is the petitioner's Citizen Participation Report.

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**Staff Analysis**

According to the Land Development Code, the 6.5 acre site meets the 43,560 square feet (1.0 acre) minimum lot area requirement of the M-3, Planned Industrial Park District.

The following information is staff's analysis based on the criteria established in the Town of Davie's, Land Development Code, Section 12-307(A)(1) for rezoning application.



The Planning and Zoning Board shall make a recommendation upon the application to the Town Council, based upon its consideration of, where applicable, whether or not:

- (a) The proposed change is contrary to the adopted comprehensive plan, as amended, or any element or portion thereof;

*The proposed change is consistent with the future land use category assigned to the site through the Future land Use Plan Map. Although the proposed M-3 zoning is consistent with the current Town of Davie Comprehensive Plan policies, it is important to consider the adopted State Road 7/U.S. 441 Corridor Master Plan as a variable to defining whether this change is the most appropriate or not.*

*This Master Plan addresses key issues such as the revitalization of the S R 7 corridor, the intensification of mixed-use development along the corridor including housing, and the creation of a competitive industrial/commercial/research district.*

*The State Road 7/U.S. 441 Corridor Master Plan sets policies for more appropriate land use practices such as providing for live/work space opportunities. For the subject site, it proposes the development of the south-side live-work neighborhood.*

*Currently, the Town is processing the Transit Oriented Corridor (TOC) Land Use Plan amendment as a step forward to facilitate the State Road 7/U.S. 441 Corridor Master Plan implementation.*

*As it has been stated earlier, the proposed change is consistent with the future land use category assigned to the site through the Future land Use Plan Map. The issue is defining what zoning district better fits the transition between current planning and mid term planning for the site. Currently, there are four zoning Districts that can fulfill the purpose of the Future Land Use Plan map industrial use: The Industrial Land Use Light Industrial (M-1), the Medium Industrial (M-2) District, Planned Industrial Park (M-3) District, and the Business Park (BP) District.*

*The M-1 District is intended to implement the industrial classification of the Town Comprehensive Plan by providing for light industrial uses, such as research, development or fabrication of products, which make use of processes not likely to be objectionable to neighborhood properties because of noise, vibration, odors, smoke, air pollution, or other physical manifestations.*

*The M-2 District is intended to implement the industrial classification of the Town Comprehensive Plan by providing for medium industrial uses which, by their inherent nature or by virtue of the materials used, processes utilized or products produced, may involve some characteristics objectionable to or incompatible with residential areas. Hence, M-2 districts are not intended for locations abutting residential property.*

*The M-3 District is intended to implement the industrial classification of the Town of Davie Comprehensive Plan by providing for planned industrial parks which can accommodate light, medium or selected heavier industrial uses in an open, uncrowded and attractive manner through limitations on setbacks and coverage, and for other permitted uses. M-3 Districts are not intended for locations abutting residential property.*

*The Business Park (BP) District is intended to be used to promote modern campus types of industrial, office, distribution and service business areas where a wide variety of uses can be built in an attractive environment with substantial open areas on the periphery of the development.*

*It is important to consider that rezoning the subject to M-1 instead of M-3, will allow the development of industrial uses that can be more compatible with the proposed south-side live-work neighborhood, and that this uses will not preclude its future implementation.*

(b) The proposed change would create an isolated zoning district unrelated and incompatible with adjacent and nearby districts;

*This proposed rezoning is considered to be related and compatible with the adjacent Industrial District. Additionally, the existing adjacent zoning district to the north is CF, Community Facilities, which is permitted in all land use categories and for that reason is not considered to be incompatible with the proposed change.*

(c) Existing zoning district boundaries are illogically drawn in relation to existing conditions on the property proposed for change;

*The existing A-1, Agricultural District is inconsistent with the current Future land Use Plan Map Designation.*

(d) The proposed change will adversely affect living conditions in the neighborhood;

*Rezoning the parcel from A-1, Agricultural District, to M-3, Planned Industrial Park District is not expected to adversely affect living conditions in the neighborhood. The Land Development Code requires that the site be designed to account for the adjacent uses by providing for minimum setbacks, limiting building height, and requiring landscape buffers.*

(e) The proposed change will create or excessively increase automobile and vehicular traffic congestion, above that which would be

anticipated with permitted intensities or densities of the underlying land use plan designation, or otherwise affect public safety;

*Rezoning the parcels from A-1, Agricultural District, to M-3, Planned Industrial Park District would generate more traffic overall as compared to currently allowed residential/nursery uses. However, all potential traffic impacts must be addressed as part of the plat or site plan applications.*

(f) The proposed change will adversely affect other property values;

*Considering that industrial uses already exist to the east, west, and south of the property, it is not expected that the proposed change will adversely affect other surrounding property values.*

(g) The proposed change will be a deterrent to the improvement or development of other property in accord with existing regulations;

*Rezoning the subject site to M-3, Planned Industrial Park District is not expected to deter improvements to the surrounding developed properties, since all properties are required to meet existing Land Development Code.*

(h) The proposed change will constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public;

*Rezoning the subject site does not give the owner a unique benefit that harms the welfare of the general public. The proposed zoning district is generally consistent with the Future Land Use classification and other Comprehensive Plan policies.*

(i) There are substantial reasons why the property cannot be used in accord with existing zoning.

*Although property can continue to be used as a nursery, the A-1 zoning is not consistent with the Future Land Use Plan map designation.*

(j) The proposed rezoning is the most appropriate designation to enhance the Town's tax base given the site's location relative to the pattern of land use designations established on the future land use plan map, appropriate land use planning practice, and comprehensive plan policies directing land use location.

*The proposed rezoning will expand the Town's economic base through the expansion of its industrial sector.*

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## **Staff Recommendation**

Staff finds the application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration.

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## **Planning and Zoning Board Recommendation**

At the January 14, 2009 Planning and Zoning Board meeting, Mr. DeArmas made a motion, seconded by Mr. Busey, to approve. In a roll call vote, the vote was as follows: Chair McLaughlin – yes; Vice-Chair Stevens – absent; Mr. Busey – yes; Mr. DeArmas – yes; Ms. Turin – absent. (Motion carried 3-0)

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## **Town Council Action**

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## **Exhibits**

1. Justification Letter
  2. Surveys
  3. 1,000' Mail out Radius Map
  4. Property Owners within 1,000' of the Subject Site
  5. Public Participation Notice
  6. Public Participation Summaries
  7. Public Participation Sign-in Sheet
  8. Future Land Use Plan Map Aerial
  9. Zoning and Subject Site Map
  10. Live-Work Neighborhood State Road 7/U.S. 441 Corridor Master Plan Context
  11. Business Park and Industrial Permitted Uses
- 

Prepared by: \_\_\_\_\_

Reviewed by: \_\_\_\_\_

*File Location: P&Z\Development Applications\Applications\ZB\_Rezoning\ZB\_08\ZB 10-1-08 T.B. Herndon & Phyllis*

Exhibit 1 (*Justification Letter*)

4903 SW 51 Street  
Davie, FL 33314  
September 21, 2008

Town of Davie  
Planning and Zoning Division  
Development Service Department  
6591 Orange Drive  
Davie, FL 33314

Re: Rezone 6 parcels of Herndon-Nichols-Mereidos family land  
4903 SW 51 Street, Davie, FL 33314-5507

Dear Sir/Madam,

Attached is an application to rezone the family's 6.5 acres of land in Davie from Agricultural to M-3 Industrial.

The Herndon-Nichols-Mereidos family has lived on the property for 43 years and has operated nurseries for most of that time. We have seen many changes occur in our neighborhood over the years. We are now surrounded by Industrial properties and a cemetery on the north.

At this time we would like to sell our property and retire. We have decided to ask for rezoning of this land to M-3 Industrial and appeal to Industrial Buyers. We believe this will coincide with the TOC Development Plan for the future.

We are all members of one family and have appointed TB and Phyllis Herndon as the contact persons for this rezoning application.

Your consideration is appreciated. If you have any questions please contact Phyllis Nichols Herndon at (954) 587-2087.

Very truly yours

By:   
Phyllis Herndon

4903 SW 51 Street,  
Davie, FL 33314-5507  
October 17, 2008

TOWN OF DAVIE  
Planning and Zoning Division  
Development Services Department  
6591 Orange Drive  
Davie, FL 33314-3399

RE: Application to Rezone  
Herndon-Nichols-Meriedos 6.4 Acres  
Davie, FL

Dear Sir/Madam,

We are requesting to rezone our 6.5 acres of land from A-1/Agricultural to M-3 Industrial which will conform to the adjacent property in the surrounding area and will comply with the Town's Comprehensive Plan.

The proposed use will not adversely affect the surrounding area which is already industrial. It will not create additional traffic since our Nursery already has trucks and vehicles entering and exiting this property. Also, the proposed use will not create an isolated zoning district, but actually will eliminate an isolated zoning district.

The proposed use will not adversely affect property values of the surrounding area and will not adversely affect living conditions in the area.

The proposed use will not constitute a grant of special privilege since the entire area is already industrial.

We are rezoning this land because after 43 years operating a nursery the land is too valuable for agricultural uses.

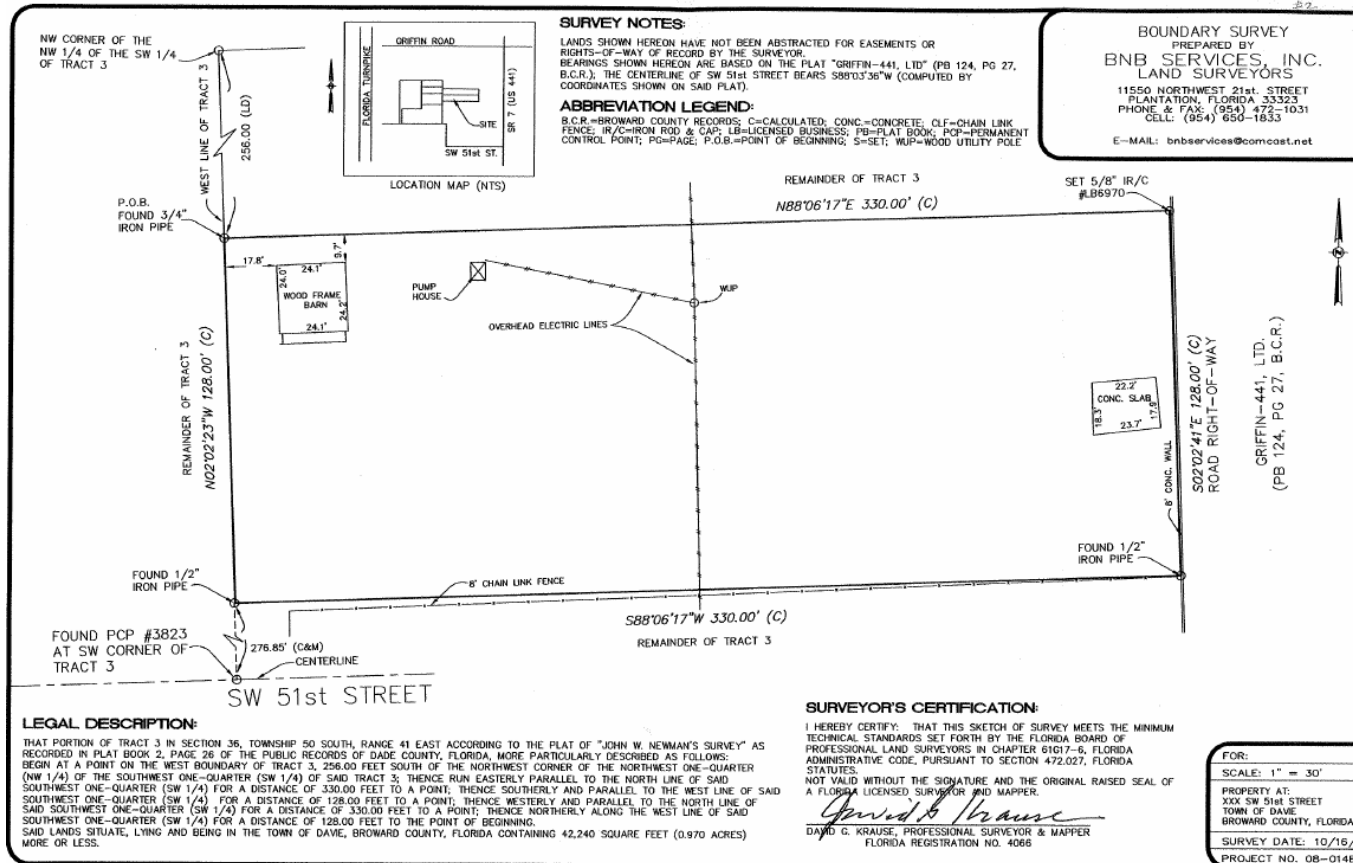
We are perimeter zoning this property at this time and will get a site plan for any specific use in the future.

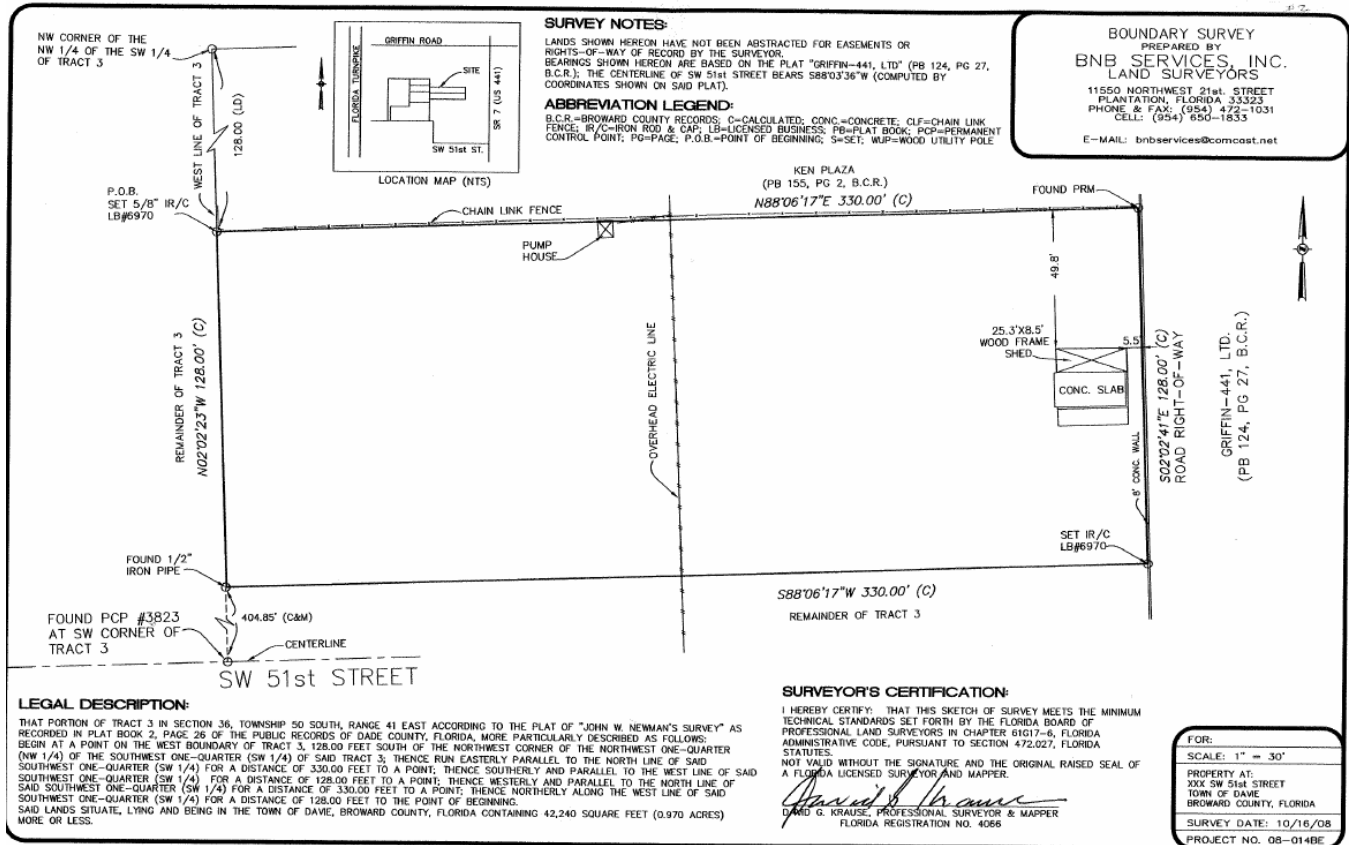
Thank you for your consideration. Please contact the undersigned if you have any questions.

Very truly yours

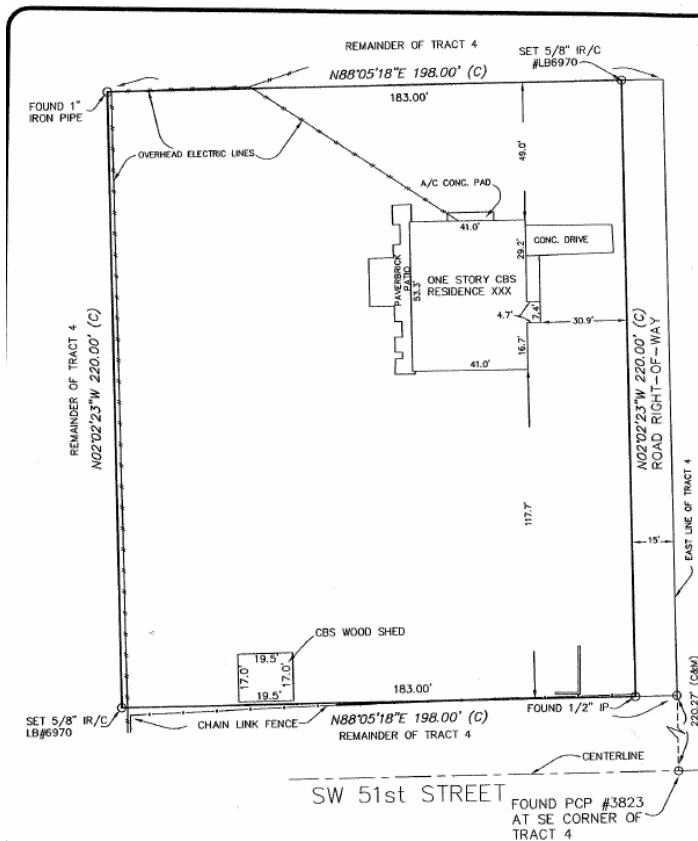
By:   
Phyllis Herndon/Applicant

# Exhibit 2 (Surveys)

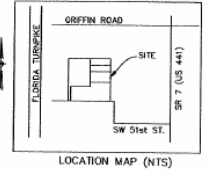








BOUNDARY SURVEY  
PREPARED BY  
**BNB SERVICES, INC.**  
LAND SURVEYORS  
11550 NORTHWEST 21st STREET  
PLANTATION, FLORIDA 33323  
PHONE & FAX: (954) 472-1031  
CELL: (954) 650-1833  
E-MAIL: bnbsservices@comcast.net



#### SURVEY NOTES:

LANDS SHOWN HEREON HAVE NOT BEEN ABSTRACTED FOR EASEMENTS OR RIGHTS-OF-WAY OF RECORD BY THE SURVEYOR.  
BEARINGS SHOWN HEREON ARE BASED ON THE PLAT "GRIFFIN-441, LTD." (PB 124, PG 27, B.C.R.); THE CENTERLINE OF SW 51st STREET BEARS S88°03'36"W (COMPUTED BY COORDINATES SHOWN ON SAID PLAT).

#### ABBREVIATION LEGEND:

B.C.R.=BROWARD COUNTY RECORDS; C=CALCULATED; CONC=CONCRETE; CLF=CHAIN LINK FENCE; IR/C=IRON ROD & CAP; LB=LICENSED BUSINESS; PB=PLAT BOOK; PCP=PERMANENT CONTROL POINT; PG=PAGE; S=SET; WUP=WOOD UTILITY POLE

#### LEGAL DESCRIPTION:

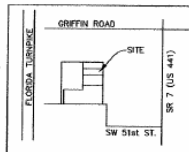
THE SOUTH 220.00 FEET OF THE NORTH 440.00 FEET OF THE EAST 198.00 FEET OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF TRACT 4 IN SECTION 36, TOWNSHIP 50 SOUTH, RANGE 41 EAST ACCORDING TO THE PLAT "JOHN W. NEWMAN SURVEY" AS RECORDED IN PLAT BOOK 2, PAGE 26 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LESS THEREFROM THE EAST 15.00 FEET FOR ROAD RIGHT-OF-WAY. SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA CONTAINING 40,260 SQUARE FEET (0.924) ACRES MORE OR LESS.

#### SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY: THAT THIS SKETCH OF SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

*David G. Krause*  
DAVID G. KRAUSE, PROFESSIONAL SURVEYOR & MAPPER  
FLORIDA REGISTRATION NO. 4068

FOR:  
SCALE: 1" = 30'  
PROPERTY AT:  
4003 SW 51st STREET  
TOWN OF DADE  
BROWARD COUNTY, FLORIDA  
SURVEY DATE: 10/16/08  
PROJECT NO. 08-01480



LOCATION MAP (NTS)

#### SURVEY NOTES:

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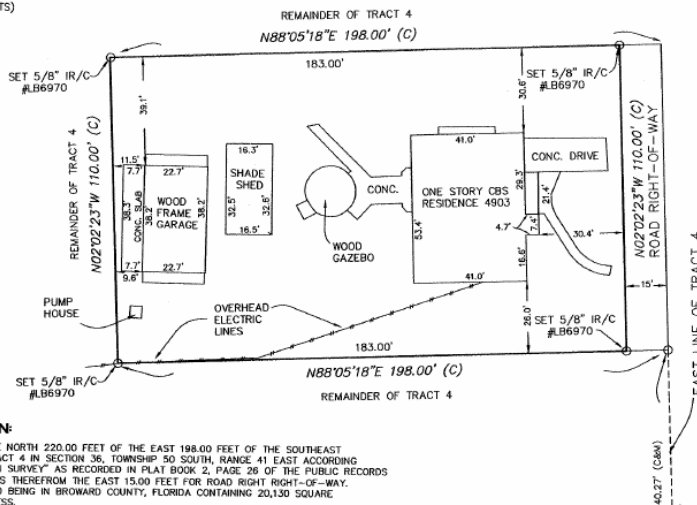
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#### BOUNDARY SURVEY PREPARED BY BNB SERVICES, INC. LAND SURVEYORS

11550 NORTHWEST 21st STREET  
PLANTATION, FLORIDA 33323  
PHONE & FAX: (954) 472-1031  
CELL: (954) 650-1833

E-MAIL: bnb-services@comcast.net



#### LEGAL DESCRIPTION:

THE SOUTH 110.00 FEET OF THE NORTH 220.00 FEET OF THE EAST 198.00 FEET OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF TRACT 4 IN SECTION 36, TOWNSHIP 20 SOUTH, RANGE 41 EAST ACCORDING TO THE PLAT "JOHN W. NEWMAN SURVEY" AS RECORDED IN PLAT BOOK 2, PAGE 26 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LESS THEREFROM THE EAST 15.00 FEET FOR ROAD RIGHT-OF-WAY. SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA CONTAINING 20,130 SQUARE FEET (0.62) ACRES MORE OR LESS.

#### SURVEYOR'S CERTIFICATION:

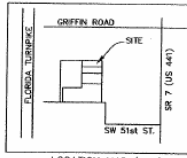
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NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

*David G. Krause*  
DAVID G. KRAUSE, PROFESSIONAL SURVEYOR & MAPPER  
FLORIDA REGISTRATION NO. 4066

FOUND PCP #3823  
AT SE CORNER OF  
TRACT 4

SW 51st STREET

FOR: PHYLLIS HERNDON  
SCALE: 1" = 30'  
PROPERTY AT:  
4903 SW 51st STREET  
TOWN OF DAVE  
BROWARD COUNTY, FLORIDA  
SURVEY DATE: 10/16/08  
PROJECT NO. 08-014BC



#### SURVEY NOTES:

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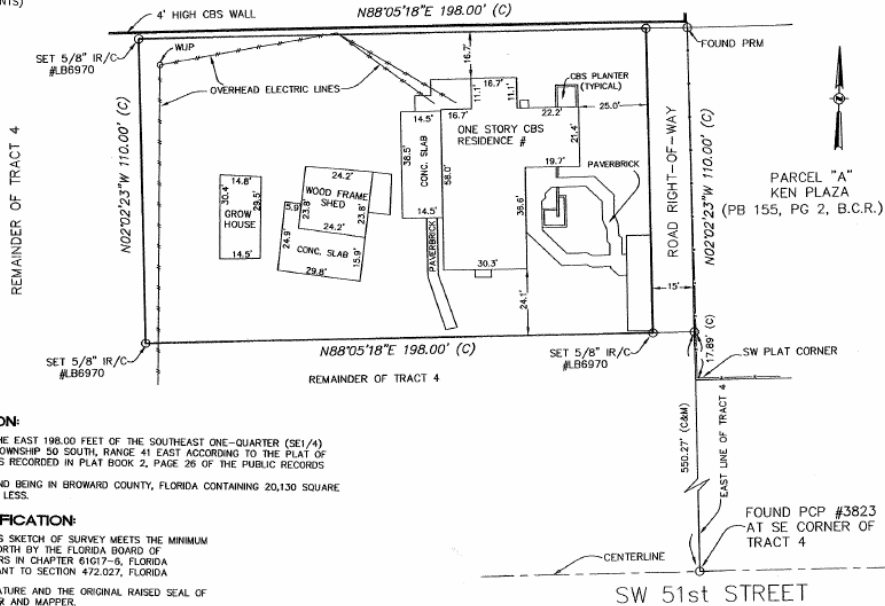
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THE NORTH 110.00 FEET OF THE EAST 198.00 FEET OF THE SOUTHEAST ONE-QUARTER (SE1/4) OF TRACT 4 IN SECTION 36, TOWNSHIP 50 SOUTH, RANGE 41 EAST ACCORDING TO THE PLAT OF "JOHN W. NEWMAN SURVEY" AS RECORDED IN PLAT BOOK 2, PAGE 26 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA CONTAINING 20,130 SQUARE FEET (0.462) ACRES MORE OR LESS.

#### SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THIS SKETCH OF SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-5, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

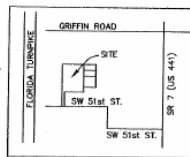
*David G. Krause*  
DAVID G. KRAUSE, PROFESSIONAL SURVEYOR & MAPPER  
FLORIDA REGISTRATION NO. 4066

FOR:

SCALE: 1" = 30'

PROPERTY AT:  
XX SW 51st STREET  
TOWN OF DAVE  
BROWARD COUNTY, FLORIDA

SURVEY DATE: 10/16/08  
PROJECT NO. 08-0148



#### SURVEY NOTES:

- 1.) LANDS SHOWN HEREON HAVE NOT BEEN ABSTRACTED FOR EASEMENTS OR RIGHTS-OF-WAY OF RECORD BY THE SURVEYOR.
- 2.) BEARINGS SHOWN HEREON ARE BASED ON THE PLAT "GRIFFIN-441, LTD" (PB 124, PG 27, B.C.R.); THE CENTERLINE OF SW 51st STREET BEARS S88°03'36"W (COMPUTED BY COORDINATES SHOWN ON SAID PLAT).

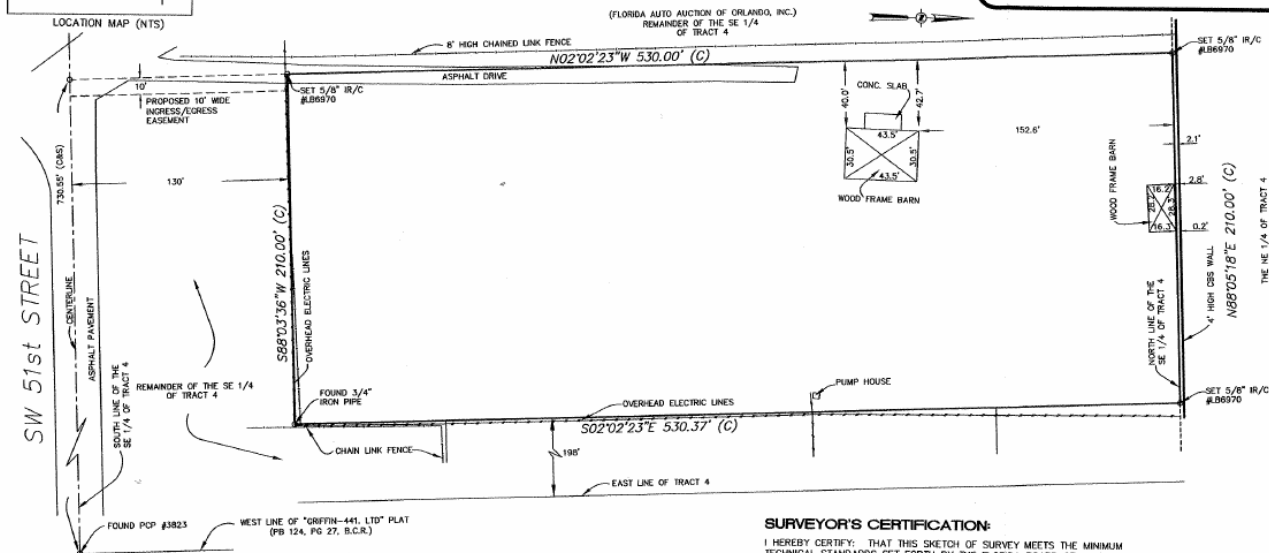
#### ABBREVIATION LEGEND:

B.C.R.=BROWARD COUNTY RECORDS; C=CALCULATED; CONC.=CONCRETE; CLF=CHAIN LINK FENCE; IR/C=IRON ROD & CAP; LB=LICENSED BUSINESS; PB=PLAT BOOK; PCP=PERMANENT CONTROL POINT; PG=PAGE; S=SET

#### BOUNDARY SURVEY PREPARED BY BNB SERVICES, INC. LAND SURVEYORS

11550 NORTHWEST 21st STREET  
PLANTATION, FLORIDA 33323  
PHONE & FAX: (954) 472-1031  
CELL: (954) 650-1833

E-MAIL: bnb-services@comcast.net



#### LEGAL DESCRIPTION:

THE WEST 210 FEET OF THE EAST 398 FEET LESS THE SOUTH 130 FEET OF THE OF THE WEST 100 FEET THEREOF, ALL LYING IN THE SOUTHEAST ONE-QUARTER (SE 1/4) OF LOT 4, OF "NEWMAN'S SURVEY" IN SECTION 36, TOWNSHIP 50 SOUTH, RANGE 41 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 26 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. SAID LANDS LYING, SITUATING AND BEING IN THE TOWN OF DAVE, BROWARD COUNTY, FLORIDA, CONTAINING 111,389 SQUARE FEET (2.557 ACRES MORE OR LESS).

#### SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY: THAT THIS SKETCH OF SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

*David G. Krause*  
DAVID G. KRAUSE, PROFESSIONAL SURVEYOR & MAPPER  
FLORIDA REGISTRATION NO. 4066

FOR: BILLY JOE NICHOLS

SCALE: 1" = 50'

PROPERTY AT:  
21 SW 51st STREET  
TOWN OF DAVE  
BROWARD COUNTY, FLORIDA  
SURVEY DATE: 10/16/08  
PROJECT NO. 08-014A

Exhibit 3 (1,000' Mail out Radius Map)

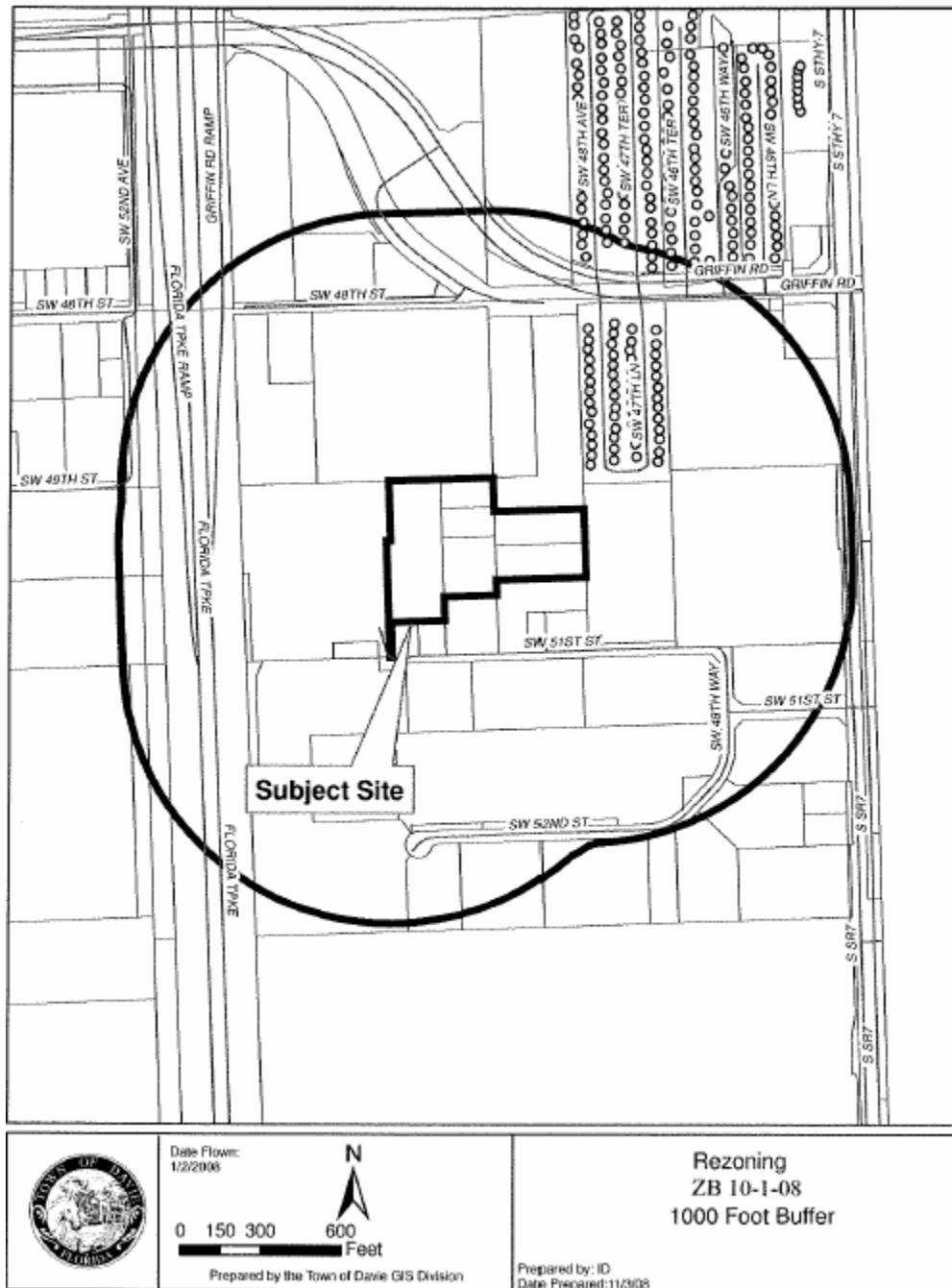


Exhibit 4 (*Property Owners within 1,000' of the Subject Site*)

**ZB 10-1-08**  
#5000 GRIFFIN INC  
9120 NW 38 ST  
DAVIE FL 33024-8108

**ZB 10-1-08**  
2PR PROPERTIES LLC  
1719 HARBOR VIEW CIR  
WESTON FL 33327

**ZB 10-1-08**  
AERO ELECTRIC INC  
160 W TROPICAL WAY  
PLANTATION FL 33317

**ZB 10-1-08**  
BROWARD COUNTY HOUSING  
AUTHORITY  
4780 N STATE ROAD 7  
LAUDERDALE LAKES FL 33319

**ZB 10-1-08**  
BROWARD REALTY LTD PRTNR OHIO  
27500 DETROIT RD STE 300  
WESTLAKE OH 44145

**ZB 10-1-08**  
CASTLE ENTERPRISES, INC  
PO BOX 841226  
PEMBROKE PINES FL 33084-3226

**ZB 10-1-08**  
COMMERCE CENTER OF S BROWARD  
% MARTY GORDON  
222 S MILITARY TRAIL  
DEERFIELD BEACH FL 33442-3017

**ZB 10-1-08**  
DAVIE 3 LLC  
19080 NE 29 AVE  
AVENTURA FL 33180

**ZB 10-1-08**  
DAVIE 51 LLC  
4700 HIATUS RD STE 153  
SUNRISE FL 33351

**ZB 10-1-08**  
DRIFTWOOD HOLDINGS LLC  
4800 GRIFFIN ROAD  
DAVIE FL 33314-4636

**ZB 10-1-08**  
FINK,BLANCHE & KAUFMAN,L & I  
% FLAGLER REALTY & DEV INC  
505 S FLAGLER DR STE 1010  
WEST PALM BEACH FL 33401-5949

**ZB 10-1-08**  
FLORIDA AUTO AUCTION OF  
ORLANDO INC  
5353 S STATE ROAD 7  
DAVIE FL 33314

**ZB 10-1-08**  
FLORIDA DEPT OF TRANSPORTATION  
OFFICE OF RIGHT OF WAY  
3400 W COMMERCIAL BLVD  
FORT LAUDERDALE FL 33309-3421

**ZB 10-1-08**  
FLORIDA POWER & LIGHT CO  
ATTN:CORPORATE TAX (CTX)  
PO BOX 14000  
JUNO BEACH FL 33408-0420

**ZB 10-1-08**  
FLORIDA TURNPIKE ENTERPRISE  
PO BOX 613069  
OCOE FL 34761-3069

**ZB 10-1-08**  
HERNDON,STEPHEN DUANE  
HERNDON,MARIA LINDBERG  
4907 SW 51ST ST  
DAVIE FL 33314-5507

**ZB 10-1-08**  
HERNDON,T B & PHYLLIS  
4903 SW 51ST ST  
DAVIE FL 33314-5507

**ZB 10-1-08**  
HOME DYNAMICS STERLING RANCH  
LLC  
4788 W COMMERCIAL BLVD  
TAMARAC FL 33319

**ZB 10-1-08**  
JORDAN,THOMAS M  
4901 SW 51 ST  
DAVIE FL 33314-5507

**ZB 10-1-08**  
KROUSKROUP,MELVIN C JR &  
BAIER,RONALD A  
4761 SW 51ST ST  
DAVIE FL 33314-5525

**ZB 10-1-08**  
MEDEIROS,LINDA NICHOLS  
1254 TRELIS LN  
THE VILLAGES FL 32162-7787

**ZB 10-1-08**  
MOTIVA ENTERPRISES LLC  
% SHELL OIL CO/PROP TAX DEPT  
910 LOUISIANA  
HOUSTON TX 77002

**ZB 10-1-08**  
NICHOLS,BILLY J  
7963 SE 12 CIR  
OCALA FL 34480-6649

**ZB 10-1-08**  
PRIMARY ELECTRICAL CONTRACTORS INC  
5001 SW 51 ST  
DAVIE FL 33314

**ZB 10-1-08**  
REDDY ICE CORP  
LB 1014  
8750 N CENTRAL EXPRESSWAY #1800  
DALLAS TX 75231-6450

**ZB 10-1-08**  
ROWARS,CHARLES M TR  
4990 SW 52 ST STE 201  
DAVIE FL 33314-5520

**ZB 10-1-08**  
SCHWARTZ,JOSEPH LEONARD  
2435 HOLLYWOOD BLVD  
HOLLYWOOD FL 33020

**ZB 10-1-08**  
SOUTHERN MOBILE PKS INC  
% DAVIS & BELLINSON LLC  
370 E MAPLE ROAD FL 3  
BIRMINGHAM MI 48009

**ZB 10-1-08**  
ST PHILIP EASTERN ORTHODOX  
CHURCH  
4870 GRIFFIN ROAD  
DAVIE FL 33314

**ZB 10-1-08**  
SWAYING PALMS L L C  
% DAVIS & BELLINSON LLC  
370 E MAPLE ROAD FL 3  
BIRMINGHAM MI 48009

**ZB 10-1-08**  
TEMPLE BETH EL OF HOLLYWOOD  
1351 S 14TH AVE  
HOLLYWOOD FL 33020-6423

**ZB 10-1-08**  
ZACCO,MARIO & KARON  
13100 SW 49 ST  
DAVIE FL 33330

**ZB 10-1-08**  
ZARRELLA ENTERPRISES LLC  
4901 SW 52 AVE  
DAVIE FL 33314

**ZB 10-1-08**  
Current Occupant  
4990 SW 52 St #201  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4990 SW 52 St #202  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4990 SW 52 St #203  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4990 SW 52 St #204  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4990 SW 52 St #205  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4990 SW 52 St #206  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4990 SW 52 St #207  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
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Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4990 SW 52 St #209  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4990 SW 52 St #210  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4980 SW 52 St #122  
Davie, FL 33314

**ZB 10-1-08**  
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**ZB 10-1-08**  
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5050 SW 51 St  
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Current Occupant  
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4651 SW 51 St  
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4851 Griffin Rd  
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5079 SW 48 St  
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Current Occupant  
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Davie, FL 33314

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Current Occupant  
4755 SW 51 St  
Davie, FL 33314

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4757 SW 51 St  
Davie, FL 33314

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Current Occupant  
4759 SW 51 St  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
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Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
5051 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
5031 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
5011 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
5021 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
5041 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
5061 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
5081 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4739 SW 46 Ter  
Davie, FL 33314

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Current Occupant  
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Davie, FL 33314

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Current Occupant  
4805 SW 47 Ln  
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4809 SW 47 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4813 SW 47 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4817 SW 47 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
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Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
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Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4829 SW 47 Ln  
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**ZB 10-1-08**  
Current Occupant  
4833 SW 47 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4837 SW 47 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4841 SW 47 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4845 SW 47 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4849 SW 47 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4850 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4846 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4842 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4838 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4834 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4830 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4826 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4822 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4818 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4814 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4810 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4808 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4806 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4802 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4855 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4851 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4847 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4843 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4839 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4835 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4831 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4827 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4823 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4819 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4815 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4811 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4807 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4803 SW 48 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4808 SW 47 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4812 SW 47 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4816 SW 47 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4820 SW 47 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4824 SW 47 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4828 SW 47 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4832 SW 47 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4836 SW 47 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4840 SW 47 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4844 SW 47 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4848 SW 47 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4852 SW 47 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4856 SW 47 Ln  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4730 SW 48 Ave  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4751 SW 48 Ave  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4741 SW 48 Ave  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4731 SW 48 Ave  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4760 SW 47 Ter  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4750 SW 47 Ter  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
5013 SW 51 St  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4807 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4807 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4811 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4815 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4823 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4875 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4895 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4901 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4905 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4911 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4921 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4925 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4931 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4935 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4951 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4955 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4961 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4975 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4999 S State Rd 7  
Davie, FL 33314

**ZB 10-1-08**  
Current Occupant  
4801 SW 51 St  
Davie, FL 33314

Exhibit 5 (*Public Participation Notice*)

Phyllis and Tal Herndon  
4903 SW 51<sup>st</sup> Street  
Davie, FL 33314  
Telephone (954) 587-2087 or (954) 760-7006  
APPLICATION NUMBER ZB10-1-02

November 20, 2008

Re: Citizen Participation Plan Meeting for 4903 SW 51<sup>st</sup> Street, Davie, FL 33314

Dear Sir/Madam,

This letter is to invite you to a Citizen Participation Plan Meeting relating to the Herndon project for a 6.4-acre parcel of land at 4903 SW 51<sup>st</sup> Street, Davie, Florida 33314. The Herndon Family Nursery has applied to rezone their nursery from A-1, Agricultural to M-3, Heavy Industrial.

Under a Town of Davie ordinance the petitioner is required to hold two (2) citizen participation meetings and send notice to all property owners within 1000 feet of the subject site prior to the Town initiating their review of the application. We have scheduled the following meetings:

First Citizen Participation Meeting:

December 3, 2008

Time: 5:30 PM

Location: Davie Town Hall Community Room 6591 Orange Drive, Davie

Second Citizen Participation Meeting:

Date: December 10, 2008

Time: 5:30 PM

Location: Davie Town Hall Community Room 6590 Orange Drive, Davie

If you wish to submit written comments, please send them to: Phyllis Herndon, 4903 SW 51 Street, Davie, FL 33314 Telephone: (954) 587-2087 or (954) 760-7006

Also, please be advised that there will be additional opportunities for public input at the town of Davie Public Hearings.

Sincerely,



Phyllis Herndon

Applicant of behalf of the Herndon Family



Exhibit 6 (*Public Participation Summaries*)

December 11, 2008

Town of Davie  
Development Service Department  
Planning and Zoning Division  
6591 Orange Drive  
Davie, Florida 33314

Re: Citizen Participation Plan for: Herndon Family Nursery  
Project Number ZB10-1-08

Dear Staff,

Please be advised that as required by the Town of Davie, Land Development Code, Chapter 12, Division 7, we the Herndon Family Nursery advertised and notified all the property owners surrounding the subject property within 1000 feet and invited them to, two (2) Public Participation Meetings, located at the Town of Davie Town Hall Community Center, 6591 Orange Drive, Davie, FL 33314 on December 3<sup>rd</sup> and December 10<sup>th</sup>, 2008. The above scheduled meetings were held, however, none of the Town of Davie property Owners attended.

We the Herndon Family Nursery Property Owners hope the above information fulfilled the requirements of Public Participation Ordinance concerning this application process.

Sincerely,



Phyllis Herndon  
Applicant

Exhibit 7 (Public Participation Sign-in Sheet)

Dec 3/08

(MEMBERS OF TOWN COUNCIL MAYBE PRESENT)  
SIGN IN SHEET  
PUBLIC PARTICIPATION MEETING I.

(Date)

NAME

ADDRESS

PHONE

Nobody come to the meeting.  
J. Riley  
J. Riley

**SUMMARY OF DISCUSSION**  
**AT PUBLIC PARTICIPATION MEETING I.**

*(The following information should be minutes of the first public hearing meet)*

*(All letters and/or phone calls received by the applicant from the public prior to the first Public Participation Meeting shall be attached to this section)*

Nobody come .

Dec 3/08

Dec 10/08

**SIGN IN SHEET**  
**PUBLIC PARTICIPATION MEETING II.**

(Date)

NAME

ADDRESS

PHONE

No Residents came

Dec 10/08

**SUMMARY OF DISCUSSION**  
**AT PUBLIC PARTICIPATION MEETING II.**

*(The following information should be minutes of the second public hearing meet)*

*(All letters and/or phone calls received by the applicant from the public prior to the second Public Participation Meeting shall be attached to this section)*

No body came

Exhibit 8 (*Future Land Use Plan Map Aerial*)

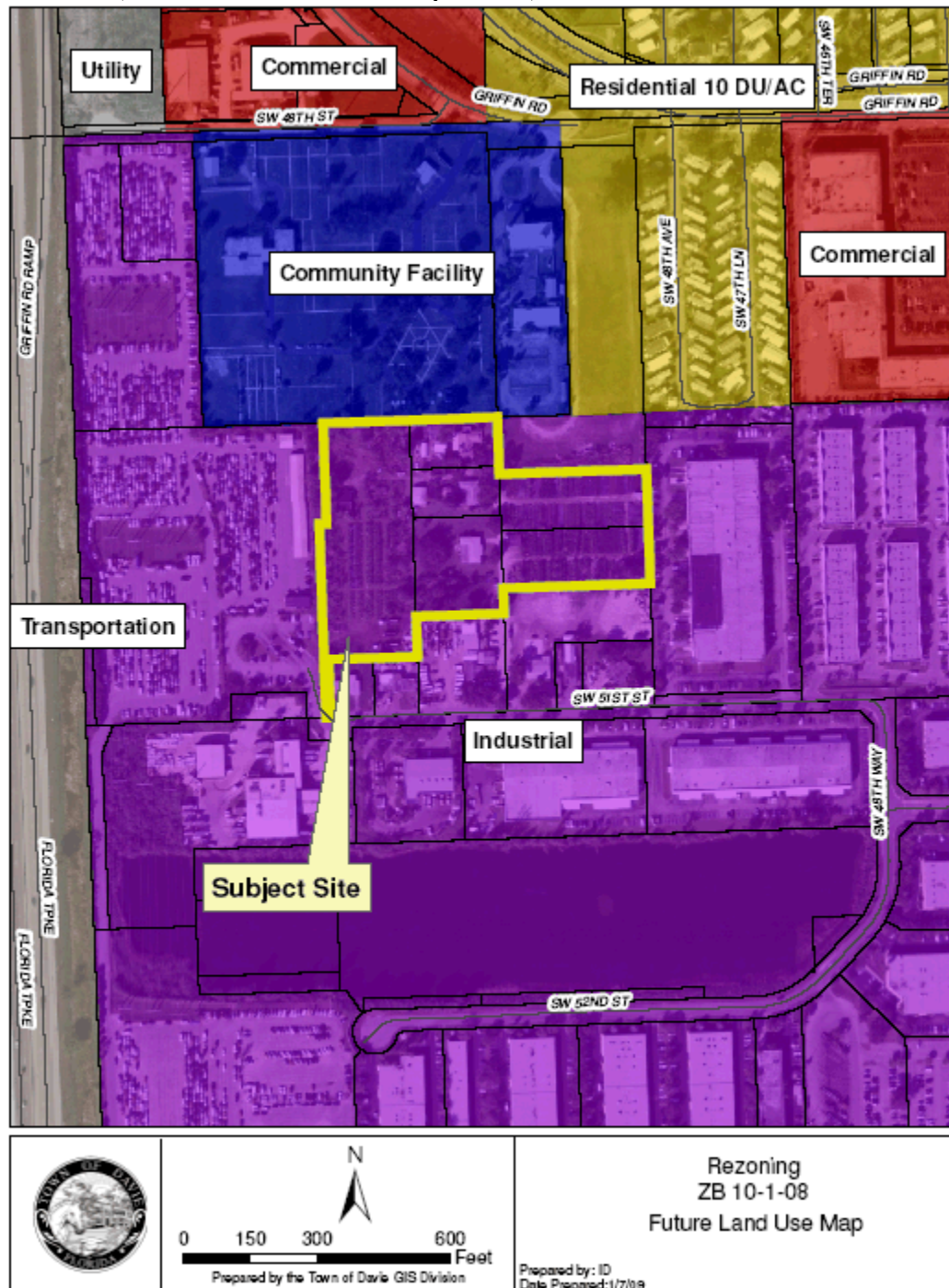
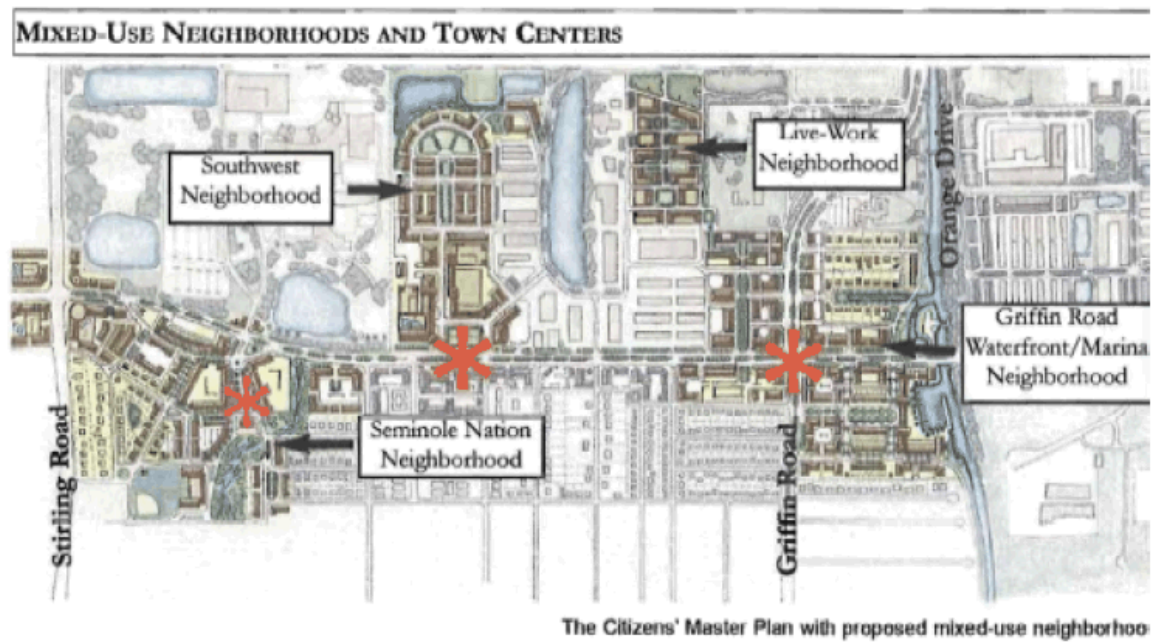


Exhibit 9 (Zoning and Subject Site Map)



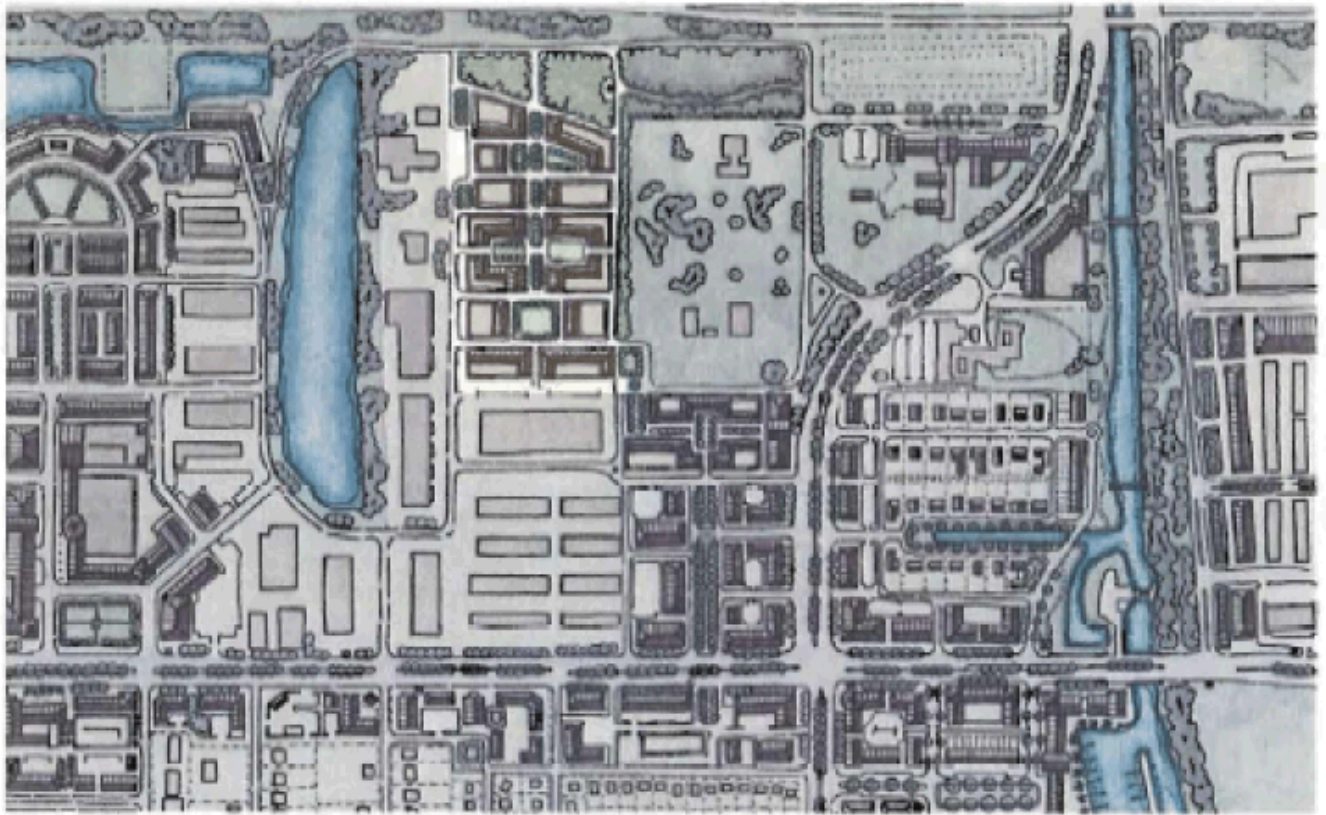


Exhibit 10 (*Live-Work Neighborhood State Road 7/U.S. 441 Corridor Master Plan Context*)





## **SOUTH-SIDE LIVE-WORK NEIGHBORHOOD**



Location of the proposed South-Side live/work neighborhood.

### **THE LIVE/WORK CONCEPT**

The live/work concept needs a variety of building types including artist lofts and apartments above ground level work space. Although not everyone would want to live above their work space, this arrangement is ideal for some and should be permitted and encouraged within the study area.

Many of the businesses that exist within industrial parks have both store front and workspace components. By placing the storefront side of the business toward a simple but well designed street and placing the less attractive work space uses to the rear on an alley or industrial courtyard, many industrial areas could become attractive and very convenient places to live. This might be the case for start up business trying to keep overhead costs low and for artists such as sculptors and welders who need quality industrial space but want to live close to their work.

The drawings on the left show how the storefront sides of industrial building could be designed to accommodate living quarters and studios above in an attractive and neat format. By making a clear distinction between front and back and fronting streets with attractive sidewalks, street trees, and parking, a unique residential market could be developed.

# Exhibit 11 (Business Park and Industrial Permitted Uses)

§ 12-32

DAVIE CODE

COMMERCIAL, OFFICE AND BUSINESS DISTRICTS								
GENERAL USE	DISTRICTS							
	SC & B-1	WT & B-2	UC & B-3	O	FB	CC	CI	RO
Warehouse, Storage	N	N	*	N	*	*	*	N
Watchman's Apartment	*	N	*	N	N	*	*	N
Wholesale	N	P	P	N	N	P	P	N

P = Permitted by right in this district.

N = Not permitted in this district.

\* = Conditionally permitted subject to detailed use regulations (section 12-34).

1 = Subject to detailed use regulations of Chapter 13, Article V of Davie Code of Ordinances.

\*\* = Limited to 20% of gross floor area.

Permitted uses, specified under each zoning district, are intended to express the intent and purpose of that district. All uses are subject to General Regulations, section 12-33 and Detailed Use Regulations, section 12-34 of this article.

## (C) Business Park and Industrial:

BUSINESS PARK AND INDUSTRIAL				
GENERAL USE	DISTRICTS			
	BP	M-1	M-2	M-3
Acid, Explosives	N	N	N	N
Agriculture, Commercial Agriculture	*	*	*	*
Animal Kennel	N	*	*	*
Auction House	*	N	N	N
Brewing/Distilling of Malt Beverages or Liquors	N	N	N	N
Business Uses	P	*	*	*
Cement, Concrete, Lime	N	N	P	P
Educational (Adult)	*	*	*	*
Food Processing Facility	N	N	N	P
Foundry, Drop Forging	N	N	N	N
Gravel, Rock Mining	N	N	N	N
Incinerator (Medical, Solid Waste, Biohazardous)	N	N	N	N
Landfill/Trash, Garbage Disposal	N	N	N	N
Light Manufacturing	P	P	P	P
Machine Shop	N	N	P	P
Marina	N	N	*	*
Medium Manufacturing	*	N	P	P
Mixed Use	N	*	*	*
Motor Freight Terminal	N	N	*	*
Motorcycle Shop	*	*	*	*
Movers	N	P	P	P
Office, Professional	P	*	*	*
Petroleum Storage, Refining, Distribution, etc.	N	N	N	N
Recycling, Scrap Metal Processing, and Automobile Wrecking Yard	N	N	N	*

BUSINESS PARK AND INDUSTRIAL				
GENERAL USE	DISTRICTS			
	<i>BP</i>	<i>M-1</i>	<i>M-2</i>	<i>M-3</i>
Retail Sales	P	*	*	*
Sales of Construction Equipment	N	N	P	P
Sandblasting	N	N	N	P
Sexually Oriented Business	N	N	N	P
Slaughter Yards	N	N	N	N
Soaps, Detergent, Cleansing Materials				
Manufacturing	N	N	N	N
Stockyards, Rendering, Glue	N	N	N	N
Storage Yards	N	N	P	P
Taxi Service, Dispatch	N	P	P	P
Trash Transfer Station	N	N	N	N
Truck Stop	N	N	N	N
Vehicle, Boat, Truck, Repair, Major or Minor	N	P	P	P
Vehicle Towing/Storage	N	P	P	P
Vehicle Sales and Rental	*	*	*	*
Warehouse, Storage	*	*	*	*
Watchman's Apartment	*	*	*	*
Wholesale	P	P	P	P
Yacht Manufacturing and Repairs	N	N	*	N

P = Permitted by right in this district.

N = Not permitted in this district.

\* = Conditionally permitted subject to detailed use regulations (section 12-34).

Permitted uses, specified under each zoning district, are intended to express the intent and purpose of that district. All uses are subject to General Regulations, section 12-33 and Detailed Use Regulations, section 12-34 of this article.